

ORIGINAL HOUSE  
BILL NO. HB0075

ENROLLED ACT NO. 106, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING  
2017 GENERAL SESSION

AN ACT relating to criminal procedure; amending requirements for restoration of voting rights to persons convicted of nonviolent felonies; repealing certain eligibility requirements for certificates of restoration of rights; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 7-13-105(b) (intro), (c) (i), (ii) and (d) is amended to read:

**7-13-105. Certificate of restoration of rights; procedure for restoration in general; procedure for restoration of voting rights for nonviolent felonies; filing requirements.**

(b) The department of corrections shall issue a certificate of restoration of voting rights as provided in this subsection and subsection (c) of this section. Upon issuance of a certificate, voting rights lost pursuant to W.S. 6-10-106 shall be deemed restored. The department of corrections shall automatically issue a person convicted of a nonviolent felony or nonviolent felonies arising out of the same occurrence or related course of events a certificate of restoration of voting rights if:

(c) The department of corrections shall issue a certificate of restoration of voting rights to eligible persons as follows:

(i) For persons convicted within Wyoming of a nonviolent felony or nonviolent felonies arising out of the same occurrence or related course of events who completed their sentence before January 1, 2010, the department shall require ~~an application for restoration before issuing a~~

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~~certificate to eligible persons who~~ receipt of a written request on a form prescribed by the department and issue each eligible person a certificate of restoration of voting rights following a determination that the person has completed ~~their~~ his ~~sentence, before January 1, 2016 including probation and parole.~~ The department shall not require an application for restoration before issuing a certificate to eligible persons who complete their sentence on and after January 1, ~~2016~~ 2010;

(ii) For persons convicted outside of Wyoming or under federal law of a nonviolent felony or nonviolent felonies arising out of the same occurrence or related course of events, the department shall require an ~~application for restoration before issuing a certificate to an eligible person~~ issue each eligible person a certificate of restoration of voting rights upon receipt of a written request on a form prescribed by the department and following a determination that the person has completed his sentence, including probation and parole.

(d) The ~~department's denial of~~ department of correction's determination that a person is ineligible for a certificate of restoration of voting rights is a final action of the agency subject to judicial review. The clerk of the district court and the division of criminal investigation shall cooperate with the department of corrections in providing information necessary for determining a person's eligibility to receive a certificate of restoration of voting rights. The department of corrections shall notify the secretary of state when any person's voting rights have been restored. If the person was convicted in Wyoming, the department of corrections shall submit the certificate of restoration of voting rights to the clerk of the district court in which the

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person was convicted and the clerk shall file the certificate in the criminal case in which the conviction was entered.

**Section 2.** W.S. 7-13-105(b)(iii) is repealed.

**Section 3.** This act is effective July 1, 2017.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk